

# SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

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Notice was duly published August 20, 2019 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on August 27, 2019 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. Chair Ridder stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

Tuesday, August 27, 2019:

MANF-12, 2019 Annual Fees - **Hearing**  
MODF-13, 11:00 AM - Commission Hearing Room  
RVF-13 Commissioner Dan Watermeier - Hearing Officer

Tuesday, September 10, 2019:

**Commission Meeting**

10:00 AM Commission Hearing Room

COMMUNICATIONS DEPARTMENT

C-5050/ In the Matter of Nebraska Public Service Commission  
DC-94 Communications Department, on its own Motion, regarding the  
2018 Annual Report filings. Commissioner Rhoades presiding  
as Hearing Officer. Motion made by Commissioner Crystal Rhoades,  
seconded by Commissioner Tim Schram, to enter an Order sustaining the  
Complaint, in part. Motion passed with Commissioners Rod Johnson,  
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting  
AYE.

FC-1367 In the Matter of Platte Valley Financial Service companies,  
Inc., and Affiliates, Complainant, v. CenturyLink  
Communications, LLC, Defendant. Commissioner Ridder is presiding as  
Hearing Officer. Motion made by Commissioner Tim Schram, seconded by  
Commissioner Rod Johnson, to enter an Order granting Motion to  
Withdraw. Motion passed with Commissioners Crystal Rhoades, Mary  
Ridder, Tim Schram and Dan Watermeier voting AYE.

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## COMMUNICATIONS DEPARTMENT (Cont.)

NUSF-37.375 In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. BCM One, Inc., Respondent. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order dismissing Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.58 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: Windstream Nebraska, Inc., Broadband Grant Request. Motion made by Commissioner Rod Johnson, seconded by Commissioner Dan Watermeier, to enter an Order of Nunc Pro Tunc. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-99.69 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.70 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.71 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.72 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.73 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.74 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.75 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

NUSF-99.76 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;

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## COMMUNICATIONS DEPARTMENT (Cont.)

- NUSF-99.77 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;
- NUSF-99.78 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request;
- NUSF-99.79 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request; and
- NUSF-99.80 In the Matter of the Nebraska Public Service Commission, on its own Motion, to administer the Universal Service Fund High-Cost Program: United Telephone Company of the West d/b/a CenturyLink, Broadband Grant Request. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter Orders granting applications NUSF-99.69 (Main Street and 5th Street in the Minatare exchange), NUSF-99.70 (Stonegate Road and County Road J in the Minatare exchange), NUSF-99.71 (Stonegate and Scupper Road in the Minatare exchange), NUSF-99.72 (Stonegate Road and South Road in the Minatare exchange), NUSF-99.73 (Cook Oil Road and Experiment Farm Road in the Mitchell exchange), NUSF-99.74 (County Road 13 and Country Road F in the Mitchell exchange), NUSF-99.75 (County Road A and Highway 29 in the Mitchell exchange), NUSF-99.76 (County Road B and Highway 29 in the Mitchell exchange), NUSF-99.77 (County Road H and Mitchell South Road in the Mitchell exchange), NUSF-99.78 (Experiment Farm Road and Sunflower Road in the Mitchell exchange), NUSF-99.79 (Hawk Road and Mitchell South Road in the Mitchell exchange), and NUSF-99.80 (Swedell Oil Road and County Road D in the Mitchell exchange) projects. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

## STATE 911 DEPARTMENT

- 911-042.25 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Keith County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to enter an Order approving funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## STATE 911 DEPARTMENT (Cont.)

911-042.48 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Garden County. Motion made by Commissioner Tim Schram, seconded by Commissioner Crystal Rhoades to enter an Order approving funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.49 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Douglas County. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Dan Watermeier to enter an Order approving funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

911-042.55 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to administer funding for public safety answering points for the implementation and provision of Enhanced Wireless 911 service: Howard County. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson to enter an Order amending funding. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Dave Sankey informed the Commission that the next 911 Service System Advisory Committee meeting will be September 18, 2019 at 1:00 p.m. in the Commission Hearing Room, Lincoln.

## TRANSPORTATION DEPARTMENT

B-1782 In the Matter of the Application of Goodwill Industries of Greater Nebraska, Inc., Grand Island, seeking revocation and cancellation of the Certificate of Public Convenience and Necessity issued in Docket No. B-1782. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter an Order cancelling Certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## TRANSPORTATION DEPARTMENT (Cont.)

B-1966 In the Matter of the Application of Mojo Mobility, LLC, Omaha, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by van and sedan in open class between points in Thurston, Dakota, Cuming, Burt, Dodge, Washington, Douglas, Sarpy, Saunders, Cass, Otoe, Butler, Colfax, Lancaster and Seward counties over irregular routes pursuant to contracts with the Nebraska Department of Health and Human Services, a Medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting Application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1986 In the Matter of the Application of Recommended Care Solutions, LLC, Omaha, seeking approval of a name change to Recommended Care Solutions, LLC, d/b/a MedCare Mobility. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order granting name change. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-1987 In the Matter of the Application of Double Leg, LLC d/b/a River Country Rides, Nebraska City, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by bus in special party and charter service between all points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: No; and

B-1988 In the Matter of the Application of Mana, Louis & Kemsean Transportation Services, LLC, d/b/a MLK Transportation Services, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by sedan and van in open class service between points in Douglas, Lancaster, and Sarpy Counties, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTIONS: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes: Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter Orders of Pending Dismissal. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## TRANSPORTATION DEPARTMENT (Cont.)

M-14229 In the Matter of the Nebraska Public Service Commission, on its own motion, seeking to require NST Holdings, LLC, d/b/a Aardvark Moving Company, Omaha, to show cause as to why its Certificate of Public Convenience and Necessity should not be revoked. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Tim Schram, to enter an Order sustaining show cause and revoking Certificate. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

M-14250 In the Matter of the Application of Maher Bros. Transfer & Storage, Inc., Iowa City, Iowa, seeking to acquire, through transfer, the authority as a common carrier in Nebraska intrastate commerce granted to Smoldt Moving & Storage, Inc., Des Moines, Iowa, in Certificate M-14198. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order granting transfer and cancelling Certificate No. M-14198. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

TNC-2 In the Matter of the Commission, on its own motion, seeking to determine the annual fee for Transportation Network Companies. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order scheduling Hearing. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-560/  
B-1986 In the Matter of the Application of Recommended Care Solutions, LLC, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Crystal Rhoades, to enter an Order granting rates. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

BR-567/  
B-1983 In the Matter of the Application of Samuel Safe Ride (SSR), LLC, Omaha, seeking to establish its rates and charges subject to the Provisions of Neb. Rev. Stat. Chapter 75, Articles 1 and 3. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting rates on emergency basis. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

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## TRANSPORTATION DEPARTMENT (Cont.)

BR-568/ In the Matter of the Application of Lift Medical  
B-1948 Transportation, LLC, Omaha, seeking to establish its rates  
and charges subject to the Provisions of Neb. Rev. Stat. Chapter  
75, Articles 1 and 3. Motion made by Commissioner Crystal Rhoades,  
seconded by Commissioner Tim Schram, to enter an Order granting rates  
on emergency basis. Motion passed with Commissioners Rod Johnson,  
Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting  
AYE.

## GENERAL ADMINISTRATION

Executive Director's recommendation to approve Commission  
invoices. Motion made by Commissioner Tim Schram, seconded by  
Commissioner Dan Watermeier. Motion passed with Commissioners Rod  
Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and  
Commissioner Crystal Rhoades present not voting.

DAS Central Finance-Risk Management	\$ 25,990.00
DAS Central Finance-Risk Management	5,326.00
Crystal Rhoades	643.80

Executive Director's recommendation to enter into an  
Agreement for Services with West Safety Solutions Corp. Motion made by  
Commissioner Tim Schram, seconded by Commissioner Rod Johnson. Motion  
passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder,  
Tim Schram and Dan Watermeier voting AYE.

Executive Director's recommendation to authorize  
Commissioner Tim Schram to travel to and attend the Interstate TRS  
Fund Advisory Council Meetings in Phoenix, AZ, from September 14  
through September 15, 2019, with all expenses to be paid by the  
Interstate TRS Fund. Motion made by Commissioner Dan Watermeier,  
seconded by Commissioner Rod Johnson. Motion passed with Commissioners  
Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE,  
and Commissioner Crystal Rhoades present not voting.

Executive Director's recommendation to authorize Mark  
Luttich to travel to and attend the National Fire Protection  
Association (NFPA) Technical Committee on Recreational Vehicles code  
meeting in Denver, CO, from October 1 through October 4, 2019, with  
all expenses to be paid by the Commission. Motion made by Commissioner  
Tim Schram, seconded by Commissioner Rod Johnson. Motion passed with  
Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier  
voting AYE, and Commissioner Crystal Rhoades present not voting.

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The meeting adjourned at 10:27 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on September 10, 2019 at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 AM on September 9, 2019.



Chair



Executive Director